

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature – Second Regular Session

MINUTES RECEIVED
CHIEF CLERK'S OFFICE

3-10-16

COMMITTEE ON FEDERALISM AND STATES' RIGHTS

Report of Regular Meeting
Wednesday, March 9, 2016
House Hearing Room 5 -- 9:00 a.m.

Convened 9:04 a.m.

Recessed

Reconvened

Adjourned 10:26 a.m.

Members Present

Mr. Finchem
Mr. Mitchell
Mr. Thorpe
Mr. Campbell, Vice-Chairman
Ms. Townsend, Chairman

Members Absent

Ms. Rios
Ms. Velasquez
Mr. Wheeler

Agenda

Original Agenda – Attachment 1

Request to Speak

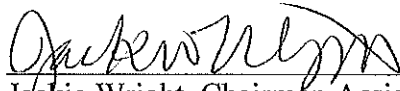
Report – Attachment 2

Presentations

<u>Name</u>	<u>Organization</u>	<u>Attachments (Handouts)</u>
Mary Darling	Darling Geomatics	
Doyel Shamley	Veritas Research	3

Committee Action

<u>Bill</u>	<u>Action</u>	<u>Vote</u>	<u>Attachments</u> <u>(Summaries,</u> <u>Amendments,</u> <u>Attendance)</u>
SCM1006	DP	5-0-0-3	4, 5
SCM1008	DP	5-0-0-3	6, 7
SCM1012	DP	5-0-0-3	8, 9
SCM1013	DP	5-0-0-3	10, 11
SCM1015	DP	5-0-0-3	12, 13
SB1141	DP	5-0-0-3	14, 15
	Committee Attendance		16


Jackie Wright, Chairman Assistant
3/10/16

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

Convened: 9:04 A.M.
adjourned: 10:26 A.M.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

REGULAR MEETING AGENDA

COMMITTEE ON FEDERALISM AND STATES' RIGHTS

DATE Wednesday, March 9, 2016

ROOM HHR 5

TIME 9:00 A.M.

Members:

Mr. Finchem
Mr. Mitchell
Ms. Rios

Mr. Thorpe
Ms. Velasquez
Mr. Wheeler

Mr. Campbell, Vice-Chairman
Ms. Townsend, Chairman

Presentation:

Mining Claims & BLM Interference

- Mary Darling, CEO, Darling Geomatics
- Doyel Shamley, CEO, Veritas Research

Bills	Short Title	Strike Everything Title
SB1141 <u>DP</u>	legal tender; taxation; regulation (Farnsworth D, Coleman: Allen S, et al)	
<u>5-0-0-3</u>	FSR, RULES	
SCM1006 <u>DP</u>	ports of entry; additional personnel (Griffin)	
<u>5-0-0-3</u>	FSR, RULES	
SCM1008 <u>DP</u>	regulatory integrity protection act (Griffin)	
<u>5-0-0-3</u>	FSR, RULES	
SCM1012 <u>DP</u>	border security; urging Congress (Griffin)	
<u>5-0-0-3</u>	FSR, RULES	
SCM1013 <u>DP</u>	arms trade treaty; urging Congress (Griffin)	
<u>5-0-0-3</u>	FSR, RULES	
SCM1015 <u>DP</u>	EPA; exceeding authority; urging Congress (Griffin)	
<u>5-0-0-3</u>	FSR, RULES	

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

JW
3/2/16

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032, TDD (602) 926-3241.

Information Registered on the Request to Speak System

House Federalism and States' Rights (3/9/2016)

SB1141, legal tender; taxation; regulation

Support:

Jose Borrajero, representing self; Corey Spofford, representing self; Brent Backus, TENTH AMENDMENT CENTER; Terrance Traylor, representing self; Michael Gibbs, representing self; John Baunoch, representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self; Scott Ottersen, LD17 PC, representing self; Tom Platt, representing self; Tracy Langston, Mrs., representing self; Annette Hardman, representing self; Elisha Dorfsmith, representing self; Keith Weiner, representing self; Carl Bruning, representing self; Willie Stubbs, representing self; Joel Alcott, representing self

Oppose:

Scott Prior, representing self; Cara Prior, representing self; Trey Williams, AZ ASSOCIATION OF COUNTIES

All Comments:

Brent Backus, TENTH AMENDMENT CENTER: TAC supports this bill as written.; Michael Gibbs, Self: As made clear in the U.S. Constitution and the coinage act of 1792, gold and silver coins are money. Just as we do not tax the exchange of other currencies, we should not tax gold and silver coins.; Annette Hardman, Self: I ask this bill be passed by the senate. This is important for the people of AZ to have real money and free markets. This will help our state remain solvent in harsh economic times.; Keith Weiner, Self: This bill is good for the state, the people, and business. It creates no losers.; Willie Stubbs, Self: The private foreign bank known as the Federal Reserve Bank has held too much power as a central bank against the desire of the founders. There needs to be competitive real money against their forever devaluing notes called money.; Joel Alcott, Self: I am the State Director of the Tenth Amendment Center. I strongly support this legislation.

SCM1006, ports of entry; additional personnel

Support:

Corey Spofford, representing self; Robert Shuler, Fresh Produce Assn Of The Americas; Kevin Adam, Rural Transportation Liaison, Rural Transportation Advocacy Council; Garrick Taylor, Arizona Chamber Of Commerce And Industry

SCM1008, regulatory integrity protection act

Testified as opposed:

Sandy Bahr, Sierra Club - Grand Canyon Chapter

Support:

Farrell Quinlan, State Director, NATIONAL FEDERATION OF INDEPENDENT BUSINESS; Brent Backus, representing self; Garrick Taylor, Arizona Chamber Of Commerce And Industry; Farrell Quinlan, State Director, NATIONAL FEDERATION OF INDEPENDENT BUSINESS; Spencer Kamps, HOME BUILDERS ASSOCIATION OF CENTRAL AZ

Oppose:

DONALD BEGALKE, representing self; Fred Haggerson, representing self; Patricia Cady, representing self; Michael Fiflis, representing self; Alisa McMahon, representing self; Gary Beverly, representing self

All Comments:

DONALD BEGALKE, Self: PLEASE, READ TO COMMITTEE AS WILL BE ABSENT. VOTE NO AGAINST SCM10008 BECAUSE CONGRESS HAS THE DUTIES TO PROTECT WATERS AND DRY WASHES. THANK YOU!!; Brent Backus, Self: Support this SCM.; Fred Haggerson, Self: No, please do not enact this law because it intends to prevent the EPA from enforcing the Clean Water Act. We need our water in AZ to be protected, not dried up and adulterated as this law would permit.; Gary Beverly, Self: We should increase protection for desert washes, not weaken protections with this bill.

SCM1012, border security; urging Congress**Support:**

Corey Spofford, representing self; Brent Backus, representing self

All Comments:

Brent Backus, Self: support this SCM

SCM1013, arms trade treaty; urging Congress**Support:**

Corey Spofford, representing self; Dave Kopp, Manager, AZ CITIZENS DEFENSE LEAGUE INC

SCM1015, EPA; exceeding authority; urging Congress**Support:**

Corey Spofford, representing self; Brent Backus, TENTH AMENDMENT CENTER; Scott Ottersen, LD17 PC, representing self; Elisha Dorfsmith, representing self; Carl Bruning, representing self; Willie Stubbs, representing self; Melody Judd, representing self; Amanda Gray, Arizona Petroleum Marketers Association

Oppose:

Fred Haggerson, representing self; Patricia Cady, representing self; Michael Fiflis, representing self; Alisa McMahon, representing self; Barbara Burkholder, representing self; Sandy Bahr, Sierra Club - Grand Canyon Chapter

All Comments:

Brent Backus, TENTH AMENDMENT CENTER: TAC supports this SCM. Recommend a bill for next year. See VA bill HB2 and FL bill 838. Thank you.; Fred Haggerson, Self: CO2 on world level is 405+ PPM, which is the highest in the last 4 million years. This will cause world climate to heat up. We need to take action to stabilize and reduce CO2. The US gov is the only institution that has shown ability to do this.; Barbara Burkholder, Self: The Supreme Court gave EPA the authority to regulate carbon dioxide, the main component of greenhouse gas. AZ will suffer if carbon emissions are not controlled, mainly by rising heat and ozone. Please vote NO; Willie Stubbs, Self: The EPA is out of control and needs to be disbanded entirely. I fully support this measure.

Encumbrances to local companies and business on publicly managed lands in Arizona

09Mar16
Federalism and States' Rights

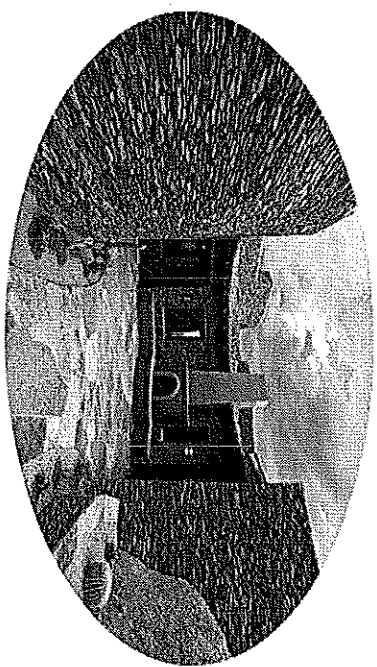
Company and Project Information

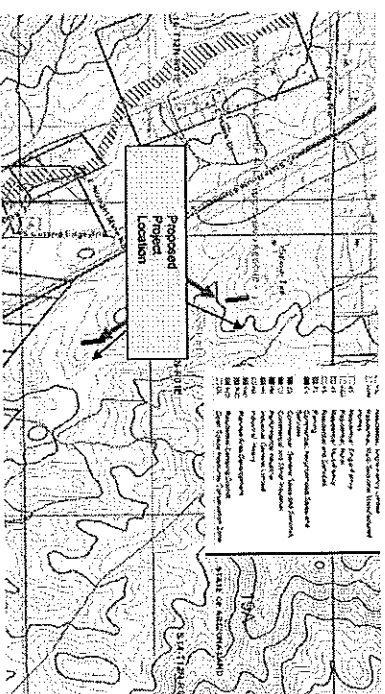
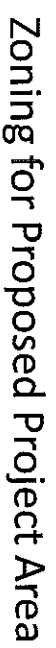
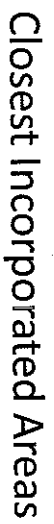
- Proposed project is located on Arizona State Land with BLM managing underlying federal mineral rights
- The project fits the BLM categorical exclusion including:
 - Being located outside a riparian areas
 - Being less than 50,000 cubic yards of excavation
 - Less than 5 acres disturbance
 - No Threatened or Endangered or Sensitive species and no critical habitat
- There have been at least six very clear requests to the BLM to clarify their permitting requirements

Company and Project Information

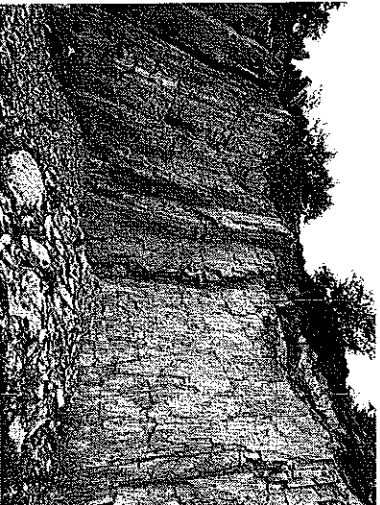
- Old Nevada Corporation, Scottsdale, AZ - seeking to reopen existing small (<5 acre) quarries in Mayer, AZ for the purposes of Decorative Rock extraction.
- Owners have been active in AZ rock products for over 20 years
- Known for unique high end architectural stone and old world masonry techniques
- Local owned company creating jobs in AZ
- Old Nevada and Mr. Boseljic, owner, have spent over 1.5 years and over \$40,000 to perform archaeology and biology surveys, perform the requisite AZ State Land appraisal, prepare a Mineral Development Plan, and more.

Physical Product





Existing Conditions



Application and Hindrance Time-line

- State Mineral Lease filed in February 2014
- Environmental Assessments and T&E surveys completed in July 2015
- Final work packets and required items submitted to AZ State Lands Department in September 2015
- Packets, surveys reports and project proposals submitted to BLM at the same time (September 2015)

Application and Hindrance Time-line

- The AZ State Mineral items and AZ State Lands permits are just one part of the facet.
- There is however an impediment not often realized by people, that is the development of a split-estate system
- Although proper state requirements are fulfilled, and this is an Arizona company making Arizona jobs, due to the split-estate system prevalent in Arizona, the BLM can claim mineral rights and their process becomes an impediment to a project.

Application and Hindrance Time-line

- As requests for deadline dates, expected action dates, approval dates and other necessary items became more critical, almost all communications from BLM switched from written to verbal only – a dangerous situation when dealing with documents and planning.
- However, prior to the switch to BLM verbal communications, there were a series of written communications with the BLM and Arizona entities to try and rectify the situation.

- Email to AZ State land Department:

Mike – Thank you for your assistance to date on the Mayer Schist Quarry permitting. As mentioned – I really need additional help from ASD. As clearly stated in the email below, BLM denied my client's use of State land by inaction. I have talked to BLM a few times since this email, but to date I have nothing in writing saying they will do anything. They promised to provide me with a schedule in December and never produced a schedule.

What does the State of Arizona do if BLM will not do their part in the permit process when there are State surface rights and underlying federal minerals?

My client paid for a cultural resource survey, threatened and endangered species surveys, a Surface Development Plan and an appraisal, all under your direction. When all of these items were completed and there were no issues, we find out this isn't a priority with BLM and they may never act on it.

I feel ASD should work with BLM to resolve this issue. Please let me know who to contact and what I should do. Thank you. Best regards, Mary

Application and Hindrance Time-line

- The following slide is an example of BLM responses before stopping written communications:

Application and Hindrance Time-line

- Email from Darling Geomatics to BLM:

Dave – I sent the attached letter last month and have not heard back. Is this all you need to add to the file to proceed with a categorical exclusion? I am trying to wrap up the State permit and just want to know where BLM is in the process. Please reply to all. Thank you so much. Kind regards, Mary

From: Kelly, David [mailto:dkelly@jim.com]
Sent: Thursday, November 12, 2015 4:03 PM
To: Mary Delling
Cc: Michael Derrins [mailto:michael.derrins@jim.com]; Viet (Lien) Garrett; Frederick Coarbo
Subject: Re: Schist Quarrts - Mayer, AZ - Citegeophical Facultu

Currently, I feel the only geologists in the picture DO Right have all my time is taken up with processing of non-disciplinary variables (360° thinking) on maps and interpreting what processing mineral materials (660° variable) materials (cases) is not inherently what you're doing. The existing work of the *Interagency* (IPI) there should be two people doing (border) minerals work and two people doing (stable) minerals work. There are currently approximately 1 dozen mineral materials cases in the queue (date of year), *As finally*, I should be getting next year, after which there may be no geologists in the district to process any mineral cases. As a minimum, *as listed* in my email of Sept. 14, I will likely be some years before there will be anyone available to begin processing of your application.

Dave

David Eddy
Geologist
Bureau of Land Management
Haskell Field Office
21605 North 7th Avenue
Phoenix, AZ 85027
(623) 580-5517 (phone)
(623) 580-5580 (fax)

Submitted on Tuesday, Jan. 5, 2016 9:57 am using IP 174.79.38.114.

Confirmation number: 37935

... it will likely be some years before there will be anyone available to begin processing of your application. "

Application and Hindrance Time-line

- The following slides show correspondence to the AZ Governors Office requesting help and the AZ Governors Office response:

CONTACT THE GOVERNOR WEB FORM SUBMISSION

Below is the information submitted online from the Governor's contact form

Reason for Contacting the Governor: I require assistance

Subject: Other
Topic: BLM Indian Graves De Facto State Land Mineral Lease

Home or Office:

Phone Number:

Business:

Name: Ms. Mary Darling

Address:
U of A Tech Park, 9040 S Rita Rd 85730

City: Tucson

Zip Code: 85737

Email: mardarling@uadigitalblm.com

Phone Number: 5202982725

Comments:

Honorable Governor Ducey - I am requesting your assistance in obtaining action at BLM's regarding issuance of a categorical exclusion and any other necessary paper work for the reopening of two small landscape rock quarries on surface lands owned and managed by Arizona State Land Department in Maricopa, Arizona. Please see the email below in its original form, to understand the issue.

Here is a quote from that BLM email: "At a minimum, as I stated in my email of Sept. 14, it will likely be some years before there will be anyone available to begin processing of your application."

The premise for the two small quarries, Mr. Ray Borsje's, is a land working immigrant from Serbia who successfully entered the military business in the 1970's and 1980's. Mr. Borsje's business was successful in the 1970's and 1980's. He was a successful entrepreneur for over 10 years. He has successfully managed, processed and sold the same once that Harry Ford mined for his Model T auto knobs.

BLM know Mr. Borsje's was attempting to reopen the two small quarries on State Land for over 1 1/2 years. Mr. Borsje's spent over \$20,000 to have certain permits as a landscape and biology survey, perform the requisite State Land approval, prepare a Mineral

Development Plan, and more. There are no threatened or endangered species issues and no cultural resource issues at the site. BLM never told Mr. Borsje that they would not take time to do their portion of the paperwork. BLM should never have allowed Mr. Borsje to spend the money to get so far through the State permit process, if they were not going to lift a hand to fulfill their own legal obligations to comply with mining laws.

How the federal government can tell a person with a valid State mineral lease that they do not have time to write a simple categorical exclusion and allow a small business operator to excavate decorative rock on State Land, is undetermined. BLM does not have jurisdiction over the surface, where the minerals will be excavated. BLM only has a right to underlying federal minerals, which will not be affected.

If our federal government can shut down small businesses from accessing their legal rights on State Land by their mere inaction, as they are attempting to do here, we have a serious issue.

Small businesses are the foundation of our country and the life blood of America. Small businesses are responsible for the most jobs and wages in this country. We need your help.

Kind regards, Mary Darling, Consultant to Boutique Small Business Owner, Ray Borsje's

Mary E. Darling, MS, JD

CEO/Principal Owner/Biologist

Darling Geomatics

Award Winning Aerial UAV Photogrammetry, 3D Scanning & Modeling, Land Surveying, & Environmental Consulting Firm

Past President So AZ Post Society of American Military Engineers

WRECC Certified WOB, ADOT Certified DBE, Tucson Certified SBE

University of Arizona Tech Park

9040 South Rita Road, Ste#2350, Tucson, AZ 85747

Ph: (520) 298-2725 / Fax: (520) 298-2757/Cell: (520) 954-4050

mardarling@uadigitalblm.com

The Governor's Office is in receipt of your email communication.

We hope to hear of this lawsuit. As you may know, the lawsuit of James McQuinn is a federal criminal case and therefore subject to jurisdiction of the Copyright Office. We can only suggest you contact your federal district court for possible assistance with the matter. We have included contact information for your copyright court as well as the steps below:

[illegible]

Figure 4: A series of four plots showing the evolution of the system's state over time. The plots are arranged vertically, with the top plot showing the initial state and the bottom plot showing the final state. The x-axis represents time, and the y-axis represents the state variable. The plots show a clear trend of decreasing state value over time, indicating a stable system.

The Incredible Iron Machine

2241 E. Carmel Mesa, Suite 100, Santa Ana, CA 92705

Phone: (800) 952-7210

The Horrible Wet Floor

The United States Seals
2200 E. Cambridge Road, Suite 220
Phoenix, AZ 85033

10/10/2017 10:00:00 AM

Don't forget to tell your friends and family about this special offer.

See also 604

DOUGLAS & DOUGLAS
CORPORATION

STATE OF ARIZONA

20

- Both Darling Geomatics and Veritas Research respectfully, but strongly, disagree with the assertion that it is an issue outside of the jurisdiction of the Governor's Office.
- This is an Arizona company, utilizing an Arizona product, creating Arizona jobs, with an Arizona mineral permit on Arizona State land.

Recommendations

- ## Recommendations
- As an Arizona Committee representing this great state, in conjunction with the appropriate state agency's, please help us to achieve an expedited remedy for Old Nevada Corporation and Mr. Ray Boseljic.
 - Veritas Research and Darling Geomatics can help in this process

Recommendations

- State Elected officials and agency directors need to get out on the ground with subject-matter experts in the state and see what problems our businesses and future opportunities face when trying to create jobs, economies and contribute to the state coffers. Veritas Research and Darling Geomatics can accommodate such a fact-finding mission.
- There are problems developing throughout Arizona when dealing with extraterritorial entities and we need to fix the situation now before it leads to more confrontations of a worsening and more severe nature.

Recommendations

- A better system wherein if a client is dealing with a state mineral permit on state lands, then the State of Arizona departments should be the permitting and final decision maker.
- BLM should delegate the responsibility to permit such actions and if this does fit their legal mandates they should work with Congress to transfer federal mineral rights on Arizona State Lands to the State of Arizona.
- Reduce redundancy in the system to help eliminate costly overhead and start-up costs to producers creating jobs in Arizona.

Recommendations

- A thorough study needs to be done on the BLM mineral material (rock) permit process; production potential for lands in Arizona to fully realize our states' ability to grow and prosper in the future along with harmonizing conflicting programs and requirements to allow a more friendly environment to responsible production of goods in Arizona



HOUSE OF REPRESENTATIVES

SCM 1006

ports of entry; additional personnel
Prime Sponsor: Senator Griffin, LD 14

X Committee on Federalism and States' Rights

Caucus and COW

House Engrossed

OVERVIEW

SCM 1006 urges Congress to act to increase the number of United States Customs and Border Protection (CBP) personnel at the ports of entry in Arizona.

PROVISIONS

1. Urges Congress to act to increase the number of CBP personnel at the ports of entry in Arizona in order to secure the border between the United States and Mexico and to enhance the safety and security of people and their property in the currently unsecure regions of the border and to increase economic growth and stability for the residents of Arizona.
2. Requires the Arizona Secretary of State to transmit a copy of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each member of Congress from the State of Arizona.

CURRENT LAW

Arizona Revised Statutes § 11-1051 establishes that, in enforcing immigration laws, no official or agency of this State or a county, city, town or other political subdivision of this State may limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law. Additionally, it also specifies that if an alien who is unlawfully present in the United States is convicted of a violation of state or local law, on discharge from imprisonment or on the assessment of any monetary obligation that is imposed, the United States Immigration and Customs Enforcement or the United States CBP shall be immediately notified.

ADDITIONAL INFORMATION

CBP is an agency under the Department of Homeland Security which is charged with detecting and preventing the illegal entry of aliens into the United States. CBP works together with law enforcement officers to maintain the borders by facilitating the flow of legal immigration and goods while preventing the illegal trafficking of people and contraband and keeping the entry of terrorists and their weapons out of the U.S.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session


ROLL CALL VOTE

COMMITTEE ON FEDERALISM AND STATES' RIGHTS BILL NO. SCM 1006

DATE March 9, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell		✓			
Ms. Rios					✓
Mr. Thorpe		✓			
Ms. Velasquez					✓
Mr. Wheeler					✓
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		5	0	0	3

APPROVED:



KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

SCM 1008

regulatory integrity protection act
Prime Sponsor: Senator Griffin, LD 14

X Committee on Federalism and States' Rights

Caucus and COW

House Engrossed

OVERVIEW

SCM 1008 urges Congress to enact the Regulatory Integrity Protection Act (Act).

PROVISIONS

1. Urges Congress to enact the Act.
2. Requires the Arizona Secretary of State to transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

CURRENT LAW

Currently not addressed in statute.

ADDITIONAL INFORMATION

On April 13, 2015, U.S. Representative Bill Shuster introduced H.R. 1732, the Act. It requires the U.S. Army Corps of Engineers (Corps) and the Environmental Protection Agency (EPA) to withdraw the proposed definition of 'Waters of the United States' under the Clean Water Act (CWA). It also directs the EPA and the Corps to consult with state and local officials, stakeholders, and other interested parties to seek consensus on which waters and wetlands are covered by the CWA.

ARIZONA HOUSE OF REPRESENTATIVES
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ROLL CALL VOTE

COMMITTEE ON FEDERALISM AND STATES' RIGHTS BILL NO. SCM 1008

DATE March 9, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell		✓			
Ms. Rios					✓
Mr. Thorpe		✓			
Ms. Velasquez					✓
Mr. Wheeler					✓
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		5	0	0	3

APPROVED:


KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

SCM1012

border security; urging Congress
Prime Sponsor: Senator Griffin, LD 14

X Committee on Federalism and States' Rights

Caucus and COW

House Engrossed

OVERVIEW

SCM 1012 urges Congress to direct the appropriate federal agencies to secure the borders of the United States.

PROVISIONS

1. Urges Congress to direct the appropriate federal agencies to do the following:
 - a. Fully secure all of the borders of the United States;
 - b. Fully reimburse sheriffs for the costs associated with the housing of illegal aliens who are being charged with state crimes;
 - c. Return to the original guidelines as set forth in Operation Streamline for the prosecution of persons crossing the United States border illegally.
2. Requires the Arizona Secretary of State to transmit copies of this Memorial to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate and each member of Congress from the State of Arizona.

CURRENT LAW

Arizona Revised Statutes § 11-1051 establishes that, in enforcing immigration laws, no official or agency of this State or a county, city, town or other political subdivision of this State may limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law. Additionally, it also specifies that if an alien who is unlawfully present in the United States is convicted of a violation of state or local law, on discharge from imprisonment or on the assessment of any monetary obligation that is imposed, the United States Immigration and Customs Enforcement or the United States Customs Border Protection shall be immediately notified.

ADDITIONAL INFORMATION

Operation Streamline is a joint initiative of the Department of Homeland Security and Department of Justice in the United States, started in 2005, that adopts a "zero-tolerance" approach to unauthorized border-crossing by engaging in criminal prosecution of those engaging in it.

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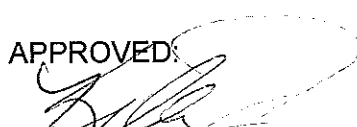
ROLL CALL VOTE

COMMITTEE ON FEDERALISM AND STATES' RIGHTS BILL NO. SCM 1012

DATE March 9, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell		✓			
Ms. Rios					✓
Mr. Thorpe		✓			
Ms. Velasquez					✓
Mr. Wheeler					✓
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		5	0	0	3

APPROVED:


KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

SCM 1013

arms trade treaty; urging Congress
Prime Sponsor: Senator Griffin, LD 14

X Committee on Federalism and States' Rights
Caucus and COW
House Engrossed

OVERVIEW

SCM 1013 urges Congress to prevent the U.S. from entering into the United Nations (UN) Arms Trade Treaty.

PROVISIONS

1. Urges Congress to continue to take action to prevent the United States from entering into the UN Arms Trade Treaty or other similar treaties that would interfere with the Second Amendment rights of United States citizens.
2. Requests the Arizona Secretary of State to transmit copies of this Memorial to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate and each Member of Congress from the State of Arizona.

CURRENT LAW

The Second Amendment of the United States Constitution establishes that the people's right to bear arms must not be infringed. Additionally, Arizona Constitution, Article 2, Section 26 provides that the right of an individual to bear arms in defense of himself or the state shall not be impaired.

ADDITIONAL INFORMATION

The UN adopted Security Council Resolution 2117 which urges "Member States to support weapons collection, disarmament, demobilization and reintegration of ex-combatants, as well as physical security and stockpile management programs by UN peacekeeping operations where so mandated."

Senator James Inhofe introduced an amendment to the budget in 2013 that would prevent the United States from entering into the UN Arms Trade Treaty in order to preserve Second Amendment rights and prevent the United States from entering into the UN Arms Trade Treaty. The amendment passed on a 53-46 vote.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session


ROLL CALL VOTE

COMMITTEE ON _____ FEDERALISM AND STATES' RIGHTS _____ BILL NO. SCM 1013

DATE March 9, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell		✓			
Ms. Rios					✓
Mr. Thorpe		✓			
Ms. Velasquez					✓
Mr. Wheeler					✓
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		5	0	0	3

APPROVED:


KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

SCM 1015

EPA; exceeding authority; urging Congress
Prime Sponsor: Senator Griffin, LD 14

X Committee on Federalism and States' Rights
Caucus and COW
House Engrossed

OVERVIEW

SCM 1015 urges Congress to enact the Stopping EPA Overreach Act (Act).

PROVISIONS

1. Urges Congress to enact the Act.
2. Requests the Arizona Secretary of State to transmit copies of this Memorial to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate and each member of Congress from the State of Arizona.

CURRENT LAW

Currently not addressed in statute.

ADDITIONAL INFORMATION

The United States Environmental Protection Agency (EPA) is an agency of the U.S. federal government which was created for the purpose of protecting human health and the environment by enforcing regulations based on laws passed by Congress.

The Act was introduced in the United States House of Representatives and seeks to prevent the EPA from exceeding its authority in ways that were not approved by Congress. It contains language that will reassert that Congress did not intend EPA to regulate greenhouse gasses by passing the Clean Air Act.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session


ROLL CALL VOTE

COMMITTEE ON _____ FEDERALISM AND STATES' RIGHTS _____ BILL NO. SCM 1015


DATE March 9, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell		✓			
Ms. Rios					✓
Mr. Thorpe		✓			
Ms. Velasquez					✓
Mr. Wheeler					✓
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		5	0	0	3

APPROVED:



KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

SB 1141

legal tender; taxation; regulation

Prime Sponsor: Senator Farnsworth D, LD 16

X Committee on Federalism and States' Rights

Caucus and COW

House Engrossed

OVERVIEW

SB 1141 establishes that *legal tender* and *specie* are money and are not subject to regulation as property other than money.

PROVISIONS

1. Establishes *legal tender* and *specie* are money and are not subject to regulation as property other than money.
2. Prohibits a person to compel any individual, this state or a political subdivision of this state to tender or accept *specie legal tender*, unless expressly provided for by contract.
3. Requires *specie legal tender* that is held as public monies to be insured for loss or damage, except that federal credit insurance is not required.
4. Specifies that the amount of any net capital gain included in federal adjusted gross income for the taxable year that is derived from the exchange of one kind of *legal tender* for another kind of *legal tender* or *specie* is required to be subtracted from Arizona gross income in computing Arizona adjusted gross income.
5. Specifies that the amount of any net capital gain included in federal taxable income for the taxable year that is derived from the exchange of one kind of *legal tender* for another kind of *legal tender* or *specie* is required to be subtracted from Arizona gross income in computing Arizona taxable income for a corporation.
6. Defines *legal tender* as a medium of exchange in Arizona, including coins with precious metal content that is authorized by the United States Constitution or Congress for the payment of debts, public charges, taxes and dues.
7. Defines *specie* as gold or silver coin, bar or round.
8. Makes technical changes.

CURRENT LAW

Arizona Revised Statutes (A.R.S.) § 6-1201 defines money as a medium of exchange that is authorized or adopted by a domestic government as a part of its currency and that is customarily used and accepted as a medium of exchange in the country.

A.R.S. § § 43-1022 and 43-1122 outline various exemptions to be subtracted from Arizona gross income when computing Arizona adjusted gross income and Arizona taxable income for corporations.

ADDITIONAL INFORMATION

The United States Constitution Article 1, Section 8 provides delegated powers to Congress. Of the enumerated powers, Congress is given the power to coin and regulate money. United States Code § 31-5103 establishes United States coins, currency, Federal Reserve notes, and circulating notes of Federal Reserve banks and national banks as legal tender for all debts, public charges, taxes and dues.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON FEDERALISM AND STATES' RIGHTS BILL NO. SB 1141

DATE March 9, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell		✓			
Ms. Rios					✓
Mr. Thorpe		✓			
Ms. Velasquez					✓
Mr. Wheeler					✓
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		5	0	0	3

APPROVED:


KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT _____

ARIZONA STATE LEGISLATURE
 Fifty-second Legislature - Second Regular Session
COMMITTEE ATTENDANCE RECORD

COMMITTEE ON FEDERALISM AND STATES' RIGHTS

CHAIRMAN: Kelly Townsend VICE-CHAIRMAN: Noel W. Campbell

DATE	3/9 /16	/16	/16	/16	/16
CONVENED	9:04 Am	m	m	m	m
RECESSED					
RECONVENED					
ADJOURNED	10:26 A.M.				
MEMBERS					
Mr. Finchem	✓				
Mr. Mitchell	✓				
Ms. Rios	exc				
Mr. Thorpe	✓				
Ms. Velasquez	—				
Mr. Wheeler	—				
Mr. Campbell, Vice-Chairman	✓				
Ms. Townsend, Chairman	✓				

✓ Present --- Absent exc Excused